

1 ROBERT W. FREEMAN
Nevada Bar No. 3062
2 Robert.Freeman@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
3 6385 S. Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
4 702.893.3383
FAX: 702.893.3789
5 Attorneys for Defendants
Officer Lucas Turley, Sgt. David Mason and the
6 Las Vegas Metropolitan Police Department

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 ***

10 BRIAN CHURCH,
11 Plaintiff,
12 vs.

13 OFFICER LUCAS TURLEY, in his individual
and official capacity; SGT. DAVID MASON,
14 in his official capacity; LAS VEGAS
METROPOLITAN POLICE DEPARTMENT;
15 DOE OFFICERS I through X, inclusive; and
ROE XI through XX, inclusive,
16 Defendants.
17

CASE NO. 2:19-cv-1198-RFB-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[FOURTH REQUEST]

18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
20 ninety (90) days, up to and including Monday, April 12, 2021. In addition, the parties request that
21 the all other future deadlines contemplated by the Discovery Plan and Scheduling Order be
22 extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as
23 follows:

- 24 1. On July 10, 2019, Plaintiff filed his Complaint in the United States District Court.
- 25 2. On September 18, 2019, Defendants filed their Answer to Complaint.
- 26 3. On October 17, 2019, the parties conducted an initial FRCP 26(f) conference
- 27 4. On November 4, 2019, the Court entered the Stipulated Discovery Order.

1 5. On October 30, 2019, Plaintiff served his FRCP 26 Initial Disclosures on
2 Defendant.

3 6. On November 13, 2019, Defendant served its FRCP 26 Initial Disclosures on
4 Plaintiff.

5 7. On December 9, 2019, Defendant served written discovery on Plaintiff. Plaintiff's
6 Responses were due on January 27, 2019.

7 8. On February 26, 2020, Plaintiff served written Discovery on Defendants.
8 Defendants served their responses on June 10, 2020 and August 7, 2020.

9 **DISCOVERY REMAINING**

10 1. The parties will continue participating in written discovery.

11 2. Defendant will take the deposition of Plaintiff.

12 3. Plaintiff will take the deposition of Defendants Mason and Turley.

13 4. Plaintiff will take the deposition of Lt. Glaude.

14 5. The parties may take the depositions of any and all other witnesses garnered
15 through discovery.

16 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

17 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following
18 requested extension. This Request for an extension of time is not sought for any improper purpose
19 or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing
20 sufficient time to conduct discovery.

21 The ongoing impact on discovery by the current COVID-19 crisis continues to constrain
22 the parties' ability to complete discovery. Local, state, and national officials continue to warn that
23 travel should be limited and/or avoided at this time to prevent further spread of the virus. Counsel
24 for Defendants are practicing physical distancing and are working remotely. Due to these
25 unexpected and rapidly changing circumstances, an extension of the close of discovery deadline is
26 necessary so the parties may fully develop their respective cases in chief.. Compounding this are
27 the upcoming holidays (Hanukkah, Christmas, and New Year's Day) and the parties' mutual intent
28 not to unduly interfere with any of these celebrations during these trying times.

1 Additionally, Plaintiff's counsel, E. Brent Bryson, Esq., was the victim of an automobile
2 accident wherein Mr. Bryson was rear-ended while stopped at a red light. Mr. Bryson suffered
3 injuries which have required continued physical therapy and rest which has interfered with his
4 office schedule.

5 Pursuant to the above, the parties have conferred and request an extension of the current
6 deadlines as they currently will not suffice for the complexity and logistics of this.

7 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs
8 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or
9 motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than
10 twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR
11 26-3.

12 This is the fourth request for extension of time in this matter. The parties respectfully
13 submit that the reasons set forth above constitute compelling reasons for the short extension.

14 The following is a list of the current discovery deadlines and the parties' proposed
15 extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, January 11, 2021</i>	<i>Monday, April 12, 2021</i>
Deadline to Amend Pleadings or Add Parties	<i>Closed</i>	<i>Closed</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Closed</i>	<i>Closed</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Closed</i>	<i>Closed</i>
Dispositive Motions	<i>Wednesday, February 10, 2021</i>	<i>Wednesday, May 12, 2021</i>
Joint Pretrial Order	<i>Friday, March 12, 2021</i>	<i>Friday, June 11, 2021</i>

28 ...

1 WHEREFORE, the parties respectfully request that this Court extend the discovery period
2 by ninety (90) days from the current deadline of January 11, 2021, 2020, up to and including April
3 12, 2021, 2021, and the other dates as outlined in accordance with the table above.

4 Dated this 21st day of December, 2020.

Dated this 21st day of December, 2020.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

E. BRENT BRYSON, P.C.

6 */s/ Robert W. Freeman*
Robert W. Freeman, Esq.
7 Nevada Bar No. 3062
6385 S. Rainbow Blvd., Suite 600
8 Las Vegas, Nevada 89118
Attorney for Defendants

/s/ E. Brent Bryson
E. Brent Bryson, Esq.
Nevada Bar No. 4933
3202 West Charleston Blvd.
Las Vegas, Nevada 89102
Attorneys for Plaintiffs

10 **ORDER**

11 IT IS SO ORDERED.

12 DATED this 22nd day of December, 2020.

13
14 
15

UNITED STATES MAGISTRATE JUDGE